

Exhibit “A”

Plaintiff's Complaint



CT Corporation

Service of Process

Transmittal

07/31/2019

CT Log Number 535970975

TO: KIM LUNDY SERVICE OF PROCESS, Legal Support Supervisor
WALMART INC.
702 SW 8TH ST, MAILSTOP 0215
GLOBAL GOVERNANCE, DATA, ANALYTICS,
BENTONVILLE, AR 72716-6299

RE: **Process Served in Nevada**

FOR: WALMART INC. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Goodman Rita, etc., Pltf. vs. Walmart Inc., etc., et al., Dfts.

DOCUMENT(S) SERVED: Summons, Complaint, Demand, Disclosure, Cover Sheet

COURT/AGENCY: Clark County District Court, NV
Case # A19799236C

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition - 10/04/2018 -
Walmart Market #3788, Located at 6310 W. Charleston Blvd., Las Vegas, Nevada

ON WHOM PROCESS WAS SERVED: C T Corporation System, Carson City, NV

DATE AND HOUR OF SERVICE: By Process Server on 07/31/2019 at 12:15

JURISDICTION SERVED : Nevada

APPEARANCE OR ANSWER DUE: Within 20 days after service, exclusive of the day of service

ATTORNEY(S) / SENDER(S): Adam D. Smith
Adam Smith Law
2340 Paseo Del Prado, Suite D203
Las Vegas, NV 89102
702-929-2289

ACTION ITEMS: CT has retained the current log, Retain Date: 08/01/2019, Expected Purge Date:
08/06/2019

Image SOP

Email Notification, KIM LUNDY SERVICE OF PROCESS ctlawsuits@walmartlegal.com

SIGNED: C T Corporation System

ADDRESS: 701 S Carson St.
Suite 200

TELEPHONE: Carson City, NV 89701-5239
314-863-5545

Page 1 of 1 / PK

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.

7/27/2019 10:55 AM

SUMM

DISTRICT COURT

CLARK COUNTY, NEVADA

RITA GOODMAN, individually,
Plaintiff,

v.

WALMART INC., a Delaware Corporation;
DOES I-X; and ROE CORPORATIONS I-X,
inclusive,

Defendants.

CASE NO.:
DEPT. NO.:

CASE NO: A-19-799236-C
Department 4

SUMMONS

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW

To THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

WALMART INC.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:

- a. File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
- b. Serve a copy of your response upon the attorney whose name and address is shown below.

2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and this Court may enter a judgment against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.

3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.

4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators, each have 45 days after service of this summons within which to file an answer or other responsive pleading to the complaint.

Issued at the direction of
Adam Smith Law

By: 

Adam D. Smith, Esq.
Nevada Bar No:9690
2340 Paseo Del Prado, Suite D203
Las Vegas, NV 89102
Attorney for Plaintiff

STEVEN D. GRIERSON
CLERK OF COURT


Marie Kramer

Deputy Clerk
County Court House
200 Lewis Avenue
Las Vegas, Nevada 89155
Marie Kramer

7/29/2019

Electronically Filed
7/27/2019 10:55 AM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

1. COMP

2 Adam D. Smith, Esq.
2 Nevada Bar No. 9690
3 Craig A. Henderson, Esq.
3 Nevada Bar No. 010077
4 ADAM SMITH LAW
4 2340 Paseo Del Prado, Suite D203
Las Vegas, Nevada 89102
5 T: (702) 929-2289
F: (702) 960-4454
6 adam@adamsmithlaw.com
craig@adamsmithlaw.com
7 Attorneys for Plaintiff

CASE NO: A-19-799236-C
Department 4

8

DISTRICT COURT

9

CLARK COUNTY, NEVADA

10 RITA GOODMAN, individually,

11 Plaintiff,

Case No.:
Dept. No.:

12 v.

COMPLAINT

13 WALMART INC., a Delaware Corporation;
DOES I-X; and ROE CORPORATIONS I-X,
14 inclusive,

15 Defendants.

16 Plaintiff RITA GOODMAN complains as follows:

17 GENERAL ALLEGATIONS

- 18 1. The actions complained of herein occurred in Clark County, Nevada.
- 19 2. Defendant WALMART INC., is, and at all times mentioned herein, was, a Delaware
- 20 Corporation conducting business in Clark County, Nevada.
- 21 3. The true names and capacities of the Defendants designated herein as Doe or Roe
- 22 Corporations are presently unknown to Plaintiff at this time, who therefore sues said Defendants by
- 23 such fictitious names. When the true names and capacities of these defendants are ascertained,
- 24 Plaintiffs will amend this Complaint accordingly.
- 25 4. At all times pertinent herein, Defendants were agents, servants, employees or joint
- 26 venturers of every other Defendant, and at all times mentioned herein were acting within the scope
- 27 and course of said agency, employment, or joint venture, with knowledge and permission and consent
- 28 of all other named Defendants.

5. On October 4, 2018, Plaintiff was an invitee of Defendant at Walmart Market #3788
located at 6310 W. Charleston Blvd., Las Vegas, Nevada (hereafter the "Property").

3 6. Defendant WALMART INC. maintained and was in control of the Property.

4 7. Defendant WALMART INC. owned the Property.

5 8. While visiting the Property, Plaintiff fell and suffered injuries because of a dangerous
6 curb that was not marked at the Property (hereafter the "dangerous condition").

7 9. Defendants should have made the dangerous condition safe because that condition was
8 non-obvious to Plaintiff.

9 10. Defendants negligently, carelessly, and recklessly maintained, constructed and
10 allowed the dangerous condition to exist

FIRST CAUSE OF ACTION

12 11. Plaintiff incorporates paragraphs 1 through 10 of the Complaint as if those paragraphs
13 were fully incorporated herein.

14 12. Defendants owed Plaintiff a duty of care to warn Plaintiff of the non-obvious,
15 dangerous condition at the Property.

16 13. Defendants breached this duty of care by failing to warn Plaintiff of the dangerous,
17 non-obvious condition, and by allowing the dangerous condition to exist.

14. Defendants' negligence directly and proximately caused Plaintiff serious injury.

19 15. As a direct and proximate result of Defendants' negligence, Plaintiff received medical
20 and other treatments for injuries sustained in the fall, all or some of which conditions may be
21 permanent and disabling and, all to Plaintiff's damage in a sum in excess of \$15,000. Said services,
22 care, and treatment are continuing and shall continue in the future.

23 16. As a direct and proximate result of Defendants' negligence, Plaintiff has been required
24 to limit certain recreational activities, which have caused, and shall continue to cause loss of
25 enjoyment of life.

26 17. As a direct and proximate result of Defendants' negligence, Plaintiff has suffered a
27 loss of earnings and loss of earning capacity.

18. Plaintiff has been required to engage the services of an attorney, incurring attorney's

fees and costs to bring this action.

WHEREFORE, Plaintiff expressly reserving the right to amend this complaint prior to or at the time of trial of this action, to insert those items of damage not yet fully ascertainable, prays judgment against all Defendants, and each of them, as follows:

- 1. For general damages in an amount in excess of \$15,000.00;**
 - 2. For special damages in an amount in excess of \$15,000.00;**
 - 3. For reasonable attorney's fees and costs;**
 - 4. For interest at the statutory rate; and**
 - 5. For such other relief as the Court deems just and proper.**

ADAM SMITH LAW

By: /s/ Adam D. Smith

Adam D. Smith, Esq.

Nevada Bar No. 9690

Craig A. Henderson, Esq.

Craig A. Henderson, Esq.
Nevada Bar No. 010077

Nevada Bar No. 010077
2340 Paseo Del Prado, Suite D203

2340 Taseo Del Pado, Suite
Las Vegas, Nevada 89102

Las Vegas, Nevada 89101



Electronically Filed
7/27/2019 10:55 AM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

1 DMJT
2 Adam D. Smith, Esq.
3 Nevada Bar No. 9690
4 Craig A. Henderson, Esq.
5 Nevada Bar No. 010077
6 ADAM SMITH LAW
7 2340 Paseo Del Prado, Suite D203
8 Las Vegas, Nevada 89102
9 T: (702) 929-2289
10 F: (702) 960-4454
11 adam@adamsmithlaw.com
12 craig@adamsmithlaw.com
13 Attorneys for Plaintiff

CASE NO: A-19-799236-C
Department 4

DISTRICT COURT

CLARK COUNTY, NEVADA

10 RITA GOODMAN, individually,

11 Plaintiff,

12 v.

13 WALMART INC., a Delaware Corporation;
14 DOES I-X; and ROE CORPORATIONS I-X,
inclusive,

15 Defendants.

Case No.:
Dept. No.:

DEMAND FOR JURY TRIAL

16 Plaintiff, RITA GOODMAN, by and through her attorney, ADAM SMITH LAW, hereby
17 demands a trial by jury of all issues in the above-entitled action.

18
19 ADAM SMITH LAW

20 By: /s/ Adam D. Smith

21 Adam D. Smith, Esq.
22 Nevada Bar No. 9690
23 Craig A. Henderson, Esq.
24 Nevada Bar No. 010077
25 2340 Paseo Del Prado, Suite D203
26 Las Vegas, Nevada 89102
27 Attorneys for Plaintiff

Electronically Filed
7/27/2019 10:55 AM
Steven D. Grerson
CLERK OF THE COURT

1 IAFD
2 Adam D. Smith, Esq.
3 Nevada Bar No. 9690
4 Craig A. Henderson, Esq.
5 Nevada Bar No. 010077
6 ADAM SMITH LAW
7 2340 Paseo Del Prado, Suite D203
8 Las Vegas, Nevada 89102
9 T: (702) 929-2289
10 F: (702) 960-4454
11 adam@adamsmithlaw.com
12 craig@adamsmithlaw.com
13 Attorneys for Plaintiff

CASE NO: A-19-799236-C
Department 4

DISTRICT COURT

CLARK COUNTY, NEVADA

RITA GOODMAN, individually,

Plaintiff,

v.

WALMART INC., a Delaware Corporation;
DOES I-X; and ROE CORPORATIONS I-X,
inclusive,

Defendants.

Case No.:
Dept. No.:

INITIAL APPEARANCE FEE
DISCLOSURE (NRS CHAPTER 19)

Pursuant to NRS Chapter 19, as amended by Senate Bill 106, filing fees are submitted for
parties appearing in the above entitled action as indicated below:

18 Rita Goodman: \$270.00

19 TOTAL REMITTED: \$270.00

21 ADAM SMITH LAW

22 By: /s/ Adam D. Smith

23 Adam D. Smith, Esq.
24 Nevada Bar No. 9690
25 Craig A. Henderson, Esq.
26 Nevada Bar No. 010077
27 2340 Paseo Del Prado, Suite D203
28 Las Vegas, Nevada 89102
Attorneys for Plaintiff

DISTRICT COURT CIVIL COVER SHEET

Clark County, Nevada

Case No. _____

(Assigned by Clerk's Office)

I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):

Rita Goodman

Defendant(s) (name/address/phone):

Walmart Inc.

CASE NO.: A-19-799236-C

Department 4

Attorney (name/address/phone):

Adam Smith Law

2340 Paseo Del Prado, Suite D203

Las Vegas, NV 89102

(702) 929-2289

Attorney (name/address/phone):

II. Nature of Controversy (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property	Torts	
Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input checked="" type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate	Construction Defect & Contract	Judicial Review/Appeal
Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ	Other Civil Filing	
Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant	Other Civil Filing <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters	

Business Court filings should be filed using the Business Court civil coversheet.

July 27, 2019

Date

Signature of initiating party or representative

See other side for family-related case filings.